



MINUTES

CIVIL SERVICE COMMISSION

November 9, 2016

Room 128 – West Allis City Hall

PRESENT: Commissioners Diane Kucharski, Chairperson
Robert O'Donnell
Judy Shabman
Walter Zehm

EXCUSED: Mary Cay Freiberg; Assistant City Attorney III Sheryl Kuhary

ALSO PRESENT: Audrey Key, Human Resources Director; Lynn Jopek, HR Assistant III; David Wepking, Assistant Director of Public Works; Robert Andree, Maintenance Repairer; David Donahue, Jr.; Michael Levy; Jeannie Levy.

Chairperson Kucharski called the meeting to order at 6:00 p.m.

1. The minutes of the regular monthly meeting of October 5, 2016 were unanimously passed by motion made by Commissioner Shabman and seconded by Commissioner Zehm.

2. Eligibility List(s):

Sanitation Supervisor, Department of Public Works/Engineering, Sanitation and Streets Division, Exam No. 32-16 (P), four (4) applicants; two (2) not under consideration; two (2) were interviewed. Place two (2) names on the eligibility list.

Motion made by Commissioner Zehm, seconded by Commissioner O'Donnell and unanimously passed to approve the report and place on file as presented by the Human Resources Director.

3. Appointment(s):

Alexandra Murphy, Accounting Specialist, Finance Department, effective September 27, 2016 [Exam No. 23-16 (O) (P)].

Justine Jilla, Accounting Specialist, Finance Department, effective September 30, 2016 [Exam No. 23-16 (O) (P)].

Brandon Ottson, Water Maintainer, Department of Public Works/Engineering, Water Division, effective October 6, 2016 [Exam No. 33-16 (P)], Rule XV, Section 9.

Justin Van Acker, Truck Driver, Department of Public Works/Engineering, Sanitation and Streets Division, effective October 10, 2016 [Exam No. 15-16 (O) (P)].

Brian Hill, Truck Driver, Department of Public Works/Engineering, Sanitation and Streets Division, effective October 10, 2016 [Exam No. 15-16 (O) (P)].

Sara Diebitz, Sanitation Supervisor, Department of Public Works/Engineering, Sanitation and Streets Division, effective October 26, 2016 [Exam No. 32-16 (P)].

Motion made by Commissioner O'Donnell, seconded by Commissioner Shabman and unanimously passed to approve the report and place on file as presented by the Human Resources Director.

4. Reappointment(s):

Todd Albrecht, Water Meter Technician, Department of Public Works/Engineering, Water Division, effective October 17, 2016 (refer to Civil Service Minutes of October 5, 2016).

Motion made by Commissioner Shabman, seconded by Commissioner Zehm and unanimously passed to approve the report and place on file as presented by the Human Resources Director.

5. Retirement(s):

David Marchel, Arborist, Department of Public Works/Engineering, Forestry Division, effective October 18, 2016 (thirty (30) years, five (5) months of service).

Motion made by Commissioner Zehm, seconded by Commissioner O'Donnell and unanimously passed to approve the report and place on file as presented by the Human Resources Director.

6. Deceased:

Brian Block, Engineering Technician IV, Department of Public Works/Engineering, Engineering Division, effective October 18, 2016 (twenty-six (26) years, seven (7) months of service).

7. A hearing was declared open at the request of Michael Lewis, Director of Public Works/City Engineer, Department of Public Works/Engineering, David Wepking, Assistant Director of Public Works, Department of Public Works/Engineering, and Mark Jutrzonka, Interim Water System Superintendent, Department of Public Works/Engineering, Water Division, to promote Robert Andree, Maintenance Repairer, to the position of Assistant Pumping Station Operator, under the provision of Civil Service Rule XV, Section 9, which governs promotion without examination on the basis of ascertained merit and seniority, effective November 3, 2016 [Exam No. 39-16 (P)]. The Human Resources Director stated that proper notices were posted and that no objections, either written or oral, were filed in the Human Resources Department.

Motion made by Commissioner O'Donnell, seconded by Commissioner Shabman and unanimously passed to approve the request of Michael Lewis, Director of Public Works/City Engineer, Department of Public Works/Engineering, David Wepking, Assistant Director of Public Works, Department of Public Works/Engineering, and Mark Jutrzonka, Interim Water System Superintendent, Department of Public Works/Engineering, Water Division, to promote Robert Andree, Maintenance Repairer, to the position of Assistant Pumping Station Operator, under the provision of Civil Service Rule XV, Section 9, which governs promotion without examination on the basis of ascertained merit and seniority, effective November 3, 2016 [Exam No. 39-16 (P)].

Chairperson Kucharski stated it was the intention of the Commission to vote on a motion to convene in closed session at said time and place to consider employment, promotion, compensation or performance evaluation data of certain employees under which the governmental body has jurisdiction or exercises responsibility regarding a personnel matter. This is authorized pursuant to Section 19.85(1) (c), Wisconsin Statutes.

Upon a motion by Chairperson Kucharski and after roll call of all Commissioners, it was unanimously agreed upon to meet in closed session.

At 6:59 p.m., after adjournment of the closed session, and upon motion made and seconded and unanimously passed, the regular meeting of the Civil Service Commission reconvened in open session.

8. Request from the Human Resources Director to remove two (2) names from the Truck Driver eligibility list, Exam No. 15-16 (O) (P).

While in closed session, motions were made, seconded and unanimously passed to deny the request of the Human Resources Director to remove two (2) names from the Truck Driver eligibility list, Exam No. 15-16 (O) (P). Further motions were made, seconded and unanimously passed to remove one (1) name and reinstate one (1) name on the Truck Driver eligibility list, Exam No. 15-16 (O) (P).

9. Discuss:

- A. Rule IX Discipline, Section 2 Grievance Procedure

The Human Resources Director stated legal counsel was unable to attend the meeting due to a prior commitment. The Commissioners chose to table this discussion until the next meeting when legal counsel could be present.

- B. Common Council's potential abolishment of the Civil Service Commission

The Human Resources Director indicated the Commissioners were provided a communication from the City Administrator dated October 27, 2016, indicating legislation regarding this matter will be introduced to the Common Council in December 2016. (Handout 1) She then provided responses to the Commissioners inquiries/requests:

- The Human Resources Director provided a copy of an email communication dated October 7, 2016, from the City Administrator in response to their request for a representative(s) responsible for this undertaking to be present at one of their meetings in order to provide the Commission an overview of what the issues are/impetus for the undertaking, and the ability for the Commission to respond/address such. (Handout 2)

The Human Resources Director also indicated she was verbally informed on October 14, 2016, that the undertaking began in July 2016 as a LEAN initiative. The Commissioners inquired as to what prompted the undertaking in July and how the abolishment of the Commission would be considered a LEAN process. The Human Resources Director indicated she was unaware and recommended the Commissioners seek clarification as indicated in Handout 2.

- The Human Resources Director then provided a copy of an email communication dated October 13, 2016, from Assistant City Attorney Sheryl Kuhary, in response to how the potential abolishment of the Civil Service Commission/System is a policy vs. public referendum matter. (Handout 3)
- In relation to the Commissioner's inquiry as to who would be available to represent the interests of the Civil Service Commission, as the City Attorney's Office represents the Common Council, the Human Resources Director indicated she had verbally inquired of Assistant City Attorney Sheryl Kuhary the answer to this question. Attorney Kuhary responded verbally on November 9, 2016, that the City Attorney's Office would represent the Commission.

The Human Resources Director also provided the Commissioners a copy of page one of their Employment Practices and Procedures document which overviews the purpose of a Civil Service System and its Commission. (Handout 4)

The Commissioners raised various questions and concerns (e.g., to whom applicants, internal and external, would be able to appeal recruiting and hiring decisions to; who would process recruitments – centralized in HR or decentralized and handled by each department; who would oversee grievance hearings). The Human Resources Director indicated she was informed further guidance on these matters would come from the Common Council and City Administrator if it is determined to abolish the Civil Service System/Commission.

The Human Resources Director indicated she would inform the Commissioners when the legislation is jacketed for introduction to the Common Council.

10. Topics/Items for future Agendas.

There were no topics/items presented for future Agendas.

11. Schedule the next Civil Service meeting.

The Commission chose to cancel their December 2016 and January 2017 meetings until a decision is made by the Common Council on the potential abolishment of the Civil Service System/Commission with the understanding that if any matters requiring immediate action by the Commission should arise, the Human Resources Director would contact the Commissioners to schedule a meeting accordingly.

The meeting adjourned at 7:31 p.m. by motion made, seconded and unanimously passed.

Respectfully submitted,



Audrey Key, Human Resources Director and
Agent for the West Allis Civil Service Commission

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